

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ELIZABETH AMANDA DAVENPORT,
Plaintiff,
v.
MICHAEL J. ASTRUE,
Defendant.

CASE NO. 10-CV-508-JM (PCL)
**ORDER ADOPTING REPORT
AND RECOMMENDATION
GRANTING DEFENDANT'S
MOTION TO DISMISS**

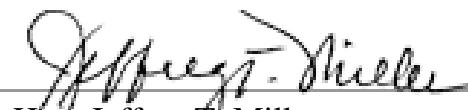
Doc. Nos. 10 & 12

On January 19, 2011, Magistrate Judge Anthony J. Battaglia entered a Report and Recommendation ("R&R") in the above-entitled case that thoroughly and thoughtfully analyzed Defendant's claims and recommended granting Defendant's motion to dismiss. (Doc. No. 12.) Having carefully considered the R&R, the record before the court, and the appropriate legal authorities, and in the absence of any objections to the R&R, the court hereby ADOPTS the R&R in its entirety.

Accordingly, the court hereby GRANTS Defendant's motion to dismiss with leave to amend. (Doc. No. 10.) Should Plaintiff wish to file an amended complaint, she must do so on or before April 22, 2011.

IT IS SO ORDERED.

DATED: April 6, 2011


Hon. Jeffrey T. Miller
United States District Judge